

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

FILED BY *eg* D.C.
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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**

and

CONSTANCE AMOS,

Plaintiffs,

v.

AUTOZONE, INC.

Defendant.

**CIVIL ACTION NO.
2:00-cv-2923 May/A**

**ORDER DISMISSING PLAINTIFF EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION'S PATTERN OR PRACTICE CLAIM CONCERNING FAILURE TO
PROMOTE AFRICAN AMERICANS INTO OFFICIAL /MANAGER POSITIONS**

This matter is before the Court upon Plaintiff Equal Employment Opportunity Commission's motion to dismiss the claim in this lawsuit that Defendant engaged in a pattern or practice of failing to promote African Americans into official/manager positions because of race. The Defendant does not oppose the motion. After review of the motion and for good cause shown, the Commission's motion is hereby granted.

Accordingly, Plaintiff's claim that Defendant engaged in a pattern or practice of failing to promote African Americans into official/manager positions because of race is hereby dismissed with prejudice, The Commission intends to continue to pursue disparate treatment claims of promotion discrimination on behalf of individual class members.

Each party shall bear its own costs concerning the dismissal of the claim that Defendant engaged in a pattern or practice of failure to promote African Americans into

official/manager positions, based on race.

IT IS SO ORDERED this 6th day of July, 2005.



SAMUEL H. MAYS, JR.



Notice of Distribution

This notice confirms a copy of the document docketed as number 244 in case 2:00-CV-02923 was distributed by fax, mail, or direct printing on July 12, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT